

Application No. 09/986,067  
Response dated June 3, 2004  
Reply to Office Action of March 26, 2004

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

Claim 1 (currently amended): A non-aqueous electrolyte battery provided with a positive electrode, a negative electrode, and a non-aqueous electrolyte using an organic solvent, wherein a positive electrode material ~~containing at least~~ comprising ferrite is used for said positive electrode, and a lithium alloy is used as a negative electrode material for said negative electrode.

Claim 2 (original): The non-aqueous electrolyte battery according to claim 1, wherein said ferrite is  $\text{CoFe}_2\text{O}_4$ .

Claim 3 (original): The non-aqueous electrolyte battery according to claim 1, wherein the negative electrode material for said negative electrode is a lithium alloy (Li-Si).

Claim 4 (original): The non-aqueous electrolyte battery according to claim 1 is a secondary battery wherein discharge/charge is repeatedly performed.

Claim 5 (withdrawn): A non-aqueous electrolyte battery provided with a positive electrode, a negative electrode, and a non-aqueous electrolyte using an organic electrolyte, wherein a positive electrode material containing at least  $\text{FeS}_2$  is used for said positive electrode, and a lithium alloy is used as a negative electrode material for said negative electrode.

Claim 6 (withdrawn): The non-aqueous electrolyte battery according to claim 5, wherein the negative electrode material for said negative electrode is a lithium alloy (Li-Si).

Claim 7 (withdrawn): The non-aqueous electrolyte battery according to claim 5 is a secondary battery wherein discharge/charge is repeatedly performed.

Claim 8 (withdrawn): A non-aqueous electrolyte battery provided with a positive electrode, a negative electrode, and a non-aqueous electrolyte using an organic solvent, wherein a transition metal oxide (except for  $\text{LiCoO}_2$ ) having crystal structure of space group  $R\bar{3}m$  is used as a positive electrode material for said positive electrode, and a negative electrode material containing lithium is used for said negative electrode.

Claim 9 (withdrawn): The non-aqueous electrolyte battery according to claim 8, wherein a lithium metal or a lithium alloy is used as the negative electrode material for said negative

electrode.

Claim 10 (withdrawn): The non-aqueous electrolyte battery according to claim 8, wherein said transition metal oxide having the crystal structure of space group R3m is  $\text{NaFeO}_2$ .

Claim 11 (withdrawn): The non-aqueous electrolyte battery according to claim 8, wherein the negative electrode material for said negative electrode is a lithium alloy (Li-Si).

Claim 12 (withdrawn): The non-aqueous electrolyte battery according to claim 8 is a storage battery wherein discharge/charge is repeatedly performed.

Claim 13 (previously presented): The non-aqueous electrolyte battery according to claim 1, wherein said ferrite is  $\text{Fe}_2\text{O}_3$ .

Claim 14 (previously presented): The non-aqueous electrolyte battery according to claim 1, wherein said ferrite is  $\text{Fe}_3\text{O}_4$ .

Claim 15 (previously presented): The non-aqueous electrolyte battery according to claim 1, wherein said ferrite is  $\text{MnFe}_2\text{O}_4$ .

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Claim 16 (previously presented): The non-aqueous electrolyte battery according to claim 1, wherein said ferrite is  $\text{NiFe}_2\text{O}_4$ .

Claim 17 (previously presented): The non-aqueous electrolyte battery according to claim 1, wherein said ferrite is  $\text{K}_{1.4}\text{Fe}_{11}\text{O}_{17}$ .